



Customer No.: 00909

Application Serial No.: 09/915,287
Attorney Docket No. 066265-0312017

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : James McNABB *et al.* CONFIRMATION NO. : 6095

SERIAL NUMBER : 09/915,287

EXAMINER : Aaron N. Strange

FILING DATE : July 27, 2001

ART UNIT : 2153

FOR : SYSTEM AND METHOD FOR MANAGING AND PROVISIONING STREAMED
DATA

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In reply to the Office Action dated June 27, 2005, applicants hereby provisionally elect the invention of item I, claims 1-10. This election is made with traverse.

REMARKS

Claims 1-29 and 31-45 are pending in this application.

Applicants respectfully submit that the subject matter of items I, II, III and IV are sufficiently related so that a thorough search and examination of any one claim set would necessarily encompass the search and examination of the remaining claims.

Furthermore, applicants respectfully submit that the search and examination of the entire application can be conducted without serious burden, and that the criteria for a proper requirement for restriction between patentably distinct inventions has not been met. Indeed, MPEP § 803 clearly states that "[i]f the search and examination of the entire application can be made without serious burden, the examiner must examine it on its merits, even though it includes claims to distinct or independent inventions" (emphasis added). Applicants submit that this policy should apply in the present